appeal, and do not require a further search, entry of the amendments to claims 11 and 15 is respectfully requested.

Additionally, entry and consideration of the following remarks is respectfully requested.

I. The 35 U.S.C. § 112, Second Paragraph Rejection:

Claim 15 has been rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Specifically, the Examiner contends that there is insufficient antecedent basis form the term "polyolefin" as used in claim 15.

Claim 15 has been amended to clarify that the polyolefin recited in claim 15 is the polyolefin which is present in component (C) of the multilayered heat shrink film of claim 11.

In light of the amendment to claim 15, the rejection of this claim is believed to be moot, and withdrawal thereof is respectfully requested.

II. The Art Rejections:

Claims 1 to 8 and 10 to 17 have been rejected under 35 U.S.C. §102(b) over Josephy et al. (U.S. Patent No. 5,585,193). Additionally, claims 18 and 19 have been rejected under 35 U.S.C. § 103(a) over Josephy et al. in view of Call (U.S. Patent No. 4,756,415). These rejections are respectfully traversed for the following reasons.

Josephy et al teach machine direction oriented polymers films for use as labels which exhibit improved die-cuttability. Also disclosed are methods of preparing die-cut labels from machine direction oriented films.

The Examiner states that Josephy et al. teach all of the elements of independent claims 1 and 11, as well as disclosing that the films of Josephy et al. can be used to encapsulate articles.

Contrary to the Examiner's contention, Josephy et al. specifically teaches away from heat shrink films. As is discussed in Josephy et al. at column 2, lines 30 to 42:

> The machine-direction-oriented labels of the present invention are to be contrasted with shrink-films consisting of stretched, unannealed films, sometimes used in sleeve-labeling applications wherein a sleeve or wrap of shrink film is placed around the circumference of a bottle or can or like container and heated to cause it to shrink into light, surrounding engagement with a container. Examples of such shrink film labels are found in U.S. Pat. Nos. 4,581,262 and 4,585,679. The tendency to shrink causes such film to tend to withdraw from any borders leaving exposed adhesive. The exposed adhesive presents a particular disadvantage in die-cut label applications since the exposed adhesive is unsightly and tends to catch dust. (emphasis added)

With regard to encapsulation, all that is disclosed in Josephy et al. is that labels made from the films disclosed in Josephy et al. are conformable (see column 12, lines 51 to 58). As would be apparent to one of ordinary skill in the art, a film which can be used to form conformable labels does not inherently possess the properties necessary to be useful as a heat shrink film. This proposition is clearly supported by the above-mentioned portion of Josephy et al.

As is well settled, each and every claimed feature must be disclosed in a single document in order to establish anticipation. Independent claims 1 and 11 are directed to halogen-free, multilayered heat shrink films wherein the shrinkage of the film is at least about 30%.

Applicants respectfully submit that given the explicit manner in which Josephy et al. teaches away from heat shrink films, that the Examiner has not established anticipation of claims 1 to 8 and 10 to 17 based on Josephy et al. This is because Josephy et al. do not disclose heat shrink films, and in particular, halogen-free, multilayered heat shrink films wherein the shrinkage of the film is at least about 30%

Applicants, therefore, submit that claims 1 to 8 and 10 to 17 are patentable over Josephy et al.

With regard to the combination of Josephy et al. and Call, Call fails to cure the deficiencies of Josephy et al. Specifically, Call discloses a shrink wrap enclosure for battery storage and transport to prevent the corrosive effects of battery leakage or spillage. The enclosure comprises the shrink wrap material, a battery terminal and vent cover protection pads. Call makes a brief statement that shrink film may be polyethylene but does not teach or suggest the multilayered film claimed by Applicants.

In view of the above, Applicants believe the rejection of claims 18 and 19 over the combination of Josephy et al. and Call to be unfounded. Accordingly, withdrawal of the rejection of claims 18 and 19 is believed due and is respectfully requested.

In view of the foregoing remarks, Applicants respectfully request allowance of claims 1 to 8 and 10 to 19.

Should the Examiner believe that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

In the event any fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 under Attorney Docket No. **AVERP2544USA**.

Respectfully submitted,
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APPENDIX

The changes made to the claims are shown below. Please note, [~~bracketed strikeout~~] denotes deletions and underlining denotes additions.

In The Claims:

Claims 11 and 15 have been amended as follows:

11. (Three Times Amended) A halogen-free, multilayered heat shrink film comprising (A) a core layer comprising a blend of (1) a copolymer of ethylene or propylene with an alpha olefin and (2) a homopolymer of an olefin, and having an upper and lower surface, (B) a skin layer on the upper surface of the core layer, wherein the skin layer comprises a polyolefin homopolymer or a blend of a polyolefin homopolymer and a copolymer of ethylene or propylene and an alpha olefin and (C) a printable layer having an upper surface and a lower surface wherein the upper surface of the printable layer is in contact with the lower surface of the core layer, wherein the printable layer comprises a blend of a polyolefin and an additive selected from the group consisting of ethylene vinyl acetate copolymer, ethylene methyl acrylate and acylonitrile butadiene rubber, and wherein the shrinkage of the film is at least about 35%.

15. (Twice Amended) The film of claim 11 wherein the polyolefin of the printable layer is a polypropylene or polyethylene and the additive is ethylene vinyl acetate.